United Nations Convention on the Law of the Sea SPLOS/163

Meeting of States Parties

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Seventeenth Meeting
New York, 14 June and 18-22 June 2007

Decision on the allocation of seats on the Commission and the Tribunal

The Meeting of States Parties,

Having considered the two joint proposals from the African and Asian States parties in relation to the allocation of seats on the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea to reflect the increase in the number of States parties (see annexes),

1. *Decides* that further work on proposals for the allocation of seats would be required to adopt decisions at the commencement of the eighteenth meeting of States parties;

2. *Also decides* to take up at the next meeting of States parties the issue of allocation of seats on the Commission and the Tribunal, under the item entitled "The allocation of seats on the Commission and the Tribunal".

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Annex I

Future elections of the members of the Commission on the Limits of the Continental Shelf: joint African and Asian draft proposal

1. In view of the past substantial growth in the number of, in particular, African and Asian States parties, the present decision is made to satisfy the need for revision of, and some certainty in, the equitable geographical representation in the composition of the Commission on the Limits of the Continental Shelf.

2. (a) Provided that no regional group will have fewer than three seats, the members of the Commission will be elected as follows:

(i) Five plus one commissioners shall be elected from the Group of African States;

(ii) Five plus one commissioners shall be elected from the Group of Asian States;

(iii) Three commissioners shall be elected from the Group of Eastern European States;

(iv) Four commissioners shall be elected from the Group of Latin American and Caribbean States;

(v) Three commissioners shall be elected from the Group of Western European and other States;

(b) The additional one seat of the African and Asian Groups in the Commission shall rotate. Asia shall occupy six seats in the next elections to the Commission, Africa shall occupy six seats in the elections following those, and so on.

3. The above arrangements will be applicable to future elections, while not prejudicing new arrangements necessitated by the proportional growth of any regional group.

Explanation of Joint African and Asian Groups' Proposal for Equitable Geographical Representation in the Commission on the Limits of the Continental Shelf (CLCS) and the International Tribunal for the Law of the Sea (ITLOS), as per Articles 2 and 3 of Annex II of UNCLOS, Articles 2 and 3 of the ITLOS Statute and as per text of Asian Group's Proposal, which is applicable to both CLCS and ITLOS.

	UNCLOS PARTIES	155, including European Community (as of 30 June 2007)				
	1. AFRICAN GROUP	2. ASIAN GROUP	3. EASTERN EUROPEAN GROUP	4. GRULAC	5. WEOG	
1	Burkina Faso	Kiribati	Belarus	Nicaragua	Denmark	
2	Madagascar	Tuvalu	Latvia	Suriname	Canada	
3	Gabon	Qatar	Lithuania	Chile	Luxembourg	
4	South Africa	Bangladesh	Albania	Guatemala	Belgium	
5	Benin	Maldives	Armenia	Haiti	Portugal	
6	Equatorial Guinea	Vanuatu	Hungary	Panama	United Kingdom of Great Britain and Northern Ireland	
7	Mozambique	Nepal	Serbia	Argentina	Spain	
8	Mauritania	Lao People's Democratic Republic	Ukraine	Bolivia	New Zealand	
9	Algeria	Solomon Islands	Poland	Guyana	Netherlands	
10	Sierra Leone	Pakistan	Russian Federation	Barbados	Sweden	
11	Mauritius	Papua New Guinea	Romania	Honduras	Norway	
12	Comoros	Brunei Darussalam	Czech Republic	Saint Vincent and the Grenadines	Ireland	
13	Zimbabwe	Malaysia	Bulgaria	Saint Kitts and Nevis	Finland	
14	Djibouti	Palau	Georgia	Uruguay	France	
15	Seychelles	Mongolia	Slovakia	Costa Rica	Monaco	
16	Angola	Japan	Slovenia	Dominica	Greece	
17	Uganda	China	Croatia	Grenada	Austria	
18	Botswana	Myanmar	The former Yugoslav Republic of Macedonia	Antigua and Barbuda	Italy	
19	Somalia	Saudi Arabia	Bosnia and Herzegovina	Brazil	Germany	
20	Kenya	Republic of Korea	Belarus	Paraguay	Malta	
21	Democratic Republic of the Congo	Nauru	Montenegro	Trinidad and Tobago	Australia	
22	Sao Tome and Principe	Jordan	Moldova	Saint Lucia	Iceland	
23	Cape Verde	Samoa		Cuba		
24	Guinea-Bissau	Tonga		Belize		
25	Nigeria	India		Bahamas		
26	Cameroon	Cook Islands		Jamaica		
27	United Republic of Tanzania	Lebanon		Mexico		
28	Guinea	Singapore				
29	Mali	Viet Nam				
30	Tunisia	Sri Lanka				
31	Togo	Marshall Islands				
32	Sudan	Micronesia (Federated States of)				
33	Senegal	Oman				
34	Gambia	Cyprus				
35	Côte d'Ivoire	Yemen				
36	Egypt	Kuwait				
37	Ghana	Indonesia				
38	Namibia	Iraq				
39	Zambia	Bahrain				
40	Lesotho	Philippines				
41	Morocco	Fiji				
42		Niue				
	5	5	3	4	4	Agreed no. of comms./judges
	23.80%	23.80%	14.30%	19.00%	19.00%	% of comms./judges
	41	42	22	27	22	UNCLOS Parties
	26.62%	27.27%	14.29%	17.53%	14.29%	% of Parties
	5.59	5.73	3.00	3.68	3.00	Proportional no. of comms./judges
	5 + *1*	5 + *1*	3	4	3	Rounded proportional no. of comms./judges

The above two seats (italics; one in CLCS and one in ITLOS) shall rotate. Asia shall occupy them in the next elections, Africa shall occupy them in the elections thereafter, and so on.

Annex II

Future elections of the members of the International Tribunal for the Law of the Sea: joint African and Asian draft proposal

1. In view of the past substantial growth in the number of, in particular, African and Asian States parties, the present decision is made to satisfy the need for revision of, and some certainty in, the equitable geographical representation in the composition of the International Tribunal for the Law of the Sea.

2. (a) Provided that no regional group will have fewer than three seats, the members of the Tribunal will be elected as follows:

(i) Five plus one judges shall be elected from the Group of African States;

(ii) Five plus one judges shall be elected from the Group of Asian States;

(iii) Three judges shall be elected from the Eastern European Group;

(iv) Four judges shall be elected from the Group of Latin American and Caribbean States;

(v) Three judges shall be elected from the Group of Western European and other States;

(b) The additional one seat of the African and Asian Groups in the Tribunal shall rotate. Asia shall occupy six seats in the next elections to the Tribunal, Africa shall occupy six seats in the elections following those, and so on.

3. The above arrangements will be applicable to future elections, while not prejudicing new arrangements necessitated by the proportional growth of any regional group.